

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ERVINE LEE DAVENPORT,

Petitioner,

v.

DUNCAN MACLAREN,

Respondent.

Case No. 1:14-cv-1012

HON. JANET T. NEFF

ORDER

This is a habeas corpus action filed by a state prisoner pursuant to 28 U.S.C. § 2254. Petitioner filed an Emergency Motion for Bond Pending Complete Enforcement of Habeas Relief or, in the Alternative, Pending Appeal (ECF No. 31). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on January 7, 2021, recommending that this Court deny the motion without prejudice to allow Petitioner to refile it with the Sixth Circuit. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 41) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Emergency Motion for Bond Pending Complete Enforcement of Habeas Relief or, in the Alternative, Pending Appeal (ECF No. 31) is DENIED without prejudice to refile with the United States Court of Appeals for the Sixth Circuit.

Dated: February 2, 2021

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge